

Fiscal Estimate - 2005 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 05-1461/1	Introduction Number AB-741
Description Review of Department of Transportation decisions related to outdoor advertising signs	
Fiscal Effect	
State:	
<input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate	
<input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Decrease Costs
Local:	
<input type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate	
1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory
5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
Fund Sources Affected	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input checked="" type="checkbox"/> SEG <input type="checkbox"/> SEGS	
Affected Ch. 20 Appropriations	
Agency/Prepared By DOT/ Jim Thiel (608) 266-8928	Authorized Signature Julie Johnson (608) 267-3703
Date 11/30/2005	

Fiscal Estimate Narratives
DOT 11/30/2005

LRB Number 05-1461/1	Introduction Number AB-741	Estimate Type Original
Description Review of Department of Transportation decisions related to outdoor advertising signs		

Assumptions Used in Arriving at Fiscal Estimate

1. The Department of Justice is required to charge back the Department of Transportation (DOT) at the end of each fiscal year for the total cost of all legal services including travel and legal expenses. Wis. Stat. 165.25(4)(c) and (d).
2. Increased DOT expenses are indeterminate as it is unknown how many DOT sign removal notices or other DOT decisions relating to outdoor advertising sign regulation may be appealed directly to the courts.
3. Increased expenses may be significant as the direct appeals from DOT notices may be filed in any of the 72 counties where signs or sign companies may be located that are affected by a DOT action. Currently direct appeals of DOT notices or actions are filed with the Division of Hearings and Appeals in Madison.
4. The bill allows appeals in any of the 72 counties to be initiated on the basis of a DOT letter or DOT sign removal notice to the sign owner. The courts may require DOT to develop the facts involved by testimony and exhibits before the courts. There would be associated expenses.
5. Since 2001 there has been a one-time sign permit application fee of \$175 for most outdoor advertising signs, a \$35 annual renewal fee for most signs, and a \$50 annual fee for nonconforming, grand fathered and directional signs. DOT maintains an inventory of some 12,000 regulated signs along Wisconsin's approximately 12,000-mile state highway system. Notices were recently sent to the owners of some 2,700 signs for which fees currently remain unpaid. The removal order for nonpayment provides the sign owner with an opportunity to pay the fees due and states that, "The department will void this removal order if all unpaid fees are paid within fifteen [15] calendar days of the date of this order." There is a potential that sign companies and owners may appeal these notices with a loss or delay in collection of sign fee revenues to carry out the state and federal outdoor advertising control laws.
6. There would be one-time corresponding and implementing changes in DOT forms and procedures.

Long-Range Fiscal Implications

There may be increased DOT expense or effort to enforce the outdoor advertising laws to conform to the expressed intent of Congress to control the erection and maintenance of billboards and other outdoor advertising signs, displays and devices adjacent to the Interstate Highways, the federal-aid primary system as it existed on June 1, 1991, the National Highway System and the Great River Road established under 23 USC 148. See Wis. Stat. 84.30(1), 23 USC 131, 23 CFR Part 750, the agreements between the State of Wisconsin and the U.S. federal highway administration dated June 9, 1961 and March 28, 1972, and with regulations and policies of the U.S. department of transportation implementing a national scenic byways program under 23 USC 162. The 1961 Agreement involved application of the Federal Bonus Act (part of the Federal Aid Highway Act of 1958), P.L. 85-381; the 1972 Agreement involves application of the Federal Highway Beautification Act of 1965, P.L. 89-285. DOT failure to effectively control outdoor advertising may result in withholding of 10% of the amount of federal highway and transportation funds that would otherwise be apportioned to Wisconsin.

Fiscal Estimate Worksheet - 2005 Session

Detailed Estimate of Annual Fiscal Effect

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Description Review of Department of Transportation decisions related to outdoor advertising signs			
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):			
Corresponding or implementing changes would be required in DOT forms and procedures and Ch. Trans 201, Wis. Admin. Code.			
II. Annualized Costs:		Annualized Fiscal Impact on funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
	State Operations - Salaries and Fringes	\$	
	(FTE Position Changes)		
	State Operations - Other Costs		
	Local Assistance		
	Aids to Individuals or Organizations		
	TOTAL State Costs by Category	\$	\$
B. State Costs by Source of Funds			
	GPR		
	FED		
	PRO/PRS		
	SEG/SEG-S		
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)			
		Increased Rev	Decreased Rev
	GPR Taxes	\$	\$
	GPR Earned		
	FED		
	PRO/PRS		
	SEG/SEG-S		
	TOTAL State Revenues	\$	\$
NET ANNUALIZED FISCAL IMPACT			
		State	Local
	NET CHANGE IN COSTS	\$Indeterminate	\$
	NET CHANGE IN REVENUE	\$Indeterminate	\$
Agency/Prepared By		Authorized Signature	Date
DOT/ Jim Thiel (608) 266-8928		Julie Johnson (608) 267-3703	11/30/2005